THE BOMBAY ESSENTIAL SUPPLIES (TEMPORARY POWERS) AND THE ESSENTIAL COMMODITIES AND CATTLE (CONTROL) (ENHANCEMENT OF PENALTIES) ACT, 1947.

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BOMBAY ACT No. XXXVI OF 1947.[1]

[THE BOMBAY ESSENTIAL SUPPLIES (TEMPORARY POWERS) AND THE ESSENTIAL COMMODITIES AND CATTLE (CONTROL) (ENHANCEMENT OF PENALTIES) ACT, 1947.]

[*25th November 1947.*]

An Act to provide for enhancement of penalties for contravention of orders under the Essential Supplies (Temporary Powers) Act, 1946, and the Bombay Essential Commodities and Cattle (Control) Act, 1946.

WHEREAS it is expedient to provide for the enhancement of penalties for contravention of orders made under the Essential Supplies (Temporary Powers) Act, 1946, and the Bombay Essential Commodities and Cattle (Control) Act, 1946; It is hereby enacted as follows :—

XXIV of 1946. Bom. XXII of 1946.

1. (*1*) This Act may be called the Bombay Essential Supplies (Temporary Powers) and the Essential Commodities and Cattle (Control) (Enhancement of Penalties) Act, 1947. Short title and extent.

(*2*) It extends to the whole of the Province of Bombay.

XXIV of 1946. Bom. XXII of 1946.

2. (*1*) Notwithstanding anything contained in the Essential Supplies (Temporary Powers) Act, 1946, whoever contravenes an order made or deemed to be made under section 3 of the said Act, and notwithstanding anything contained in the Bombay Essential Commodities and Cattle (Control) Act, 1946, whoever contravenes an order made or deemed to be made under section 4 of the said Act, shall be punished with imprisonment for a term which may extend to seven years but shall not, except for reasons to be recorded in writing, be less than six months and shall also be liable to fine. Enhanced penalties for contravention of orders under Act XXIV of 1946 and Bom. XXII of 1946.

(*2*) Any Court trying such contravention may direct that any property in respect of which the Court is satisfied that the order has been contravened shall be forfeited to the Provincial Government.

V of 1898.

3. Notwithstanding anything contained in section 32 of the Code of Criminal Procedure, 1898, it shall be lawful for any Magistrate of the First Class specially empowered by the Provincial Government in this behalf and for any Presidency Magistrate to pass a sentence provided in section 2, for contravening any order made or deemed to be made under section 3 of the Essential Supplies (Temporary Powers) Act, 1946, or under section 4 of the Bombay Essential Commodities and Cattle (Control) Act, 1946, in excess of his powers under section 32 of the said Code. Magistrate's power to impose enhanced penalties.

XXIV of 46. Bom. XXII of 1946.

Bom. Ordinance No. III of 1947.

Bom. I of 1904.

4. The Bombay Essential Supplies (Temporary Powers) and the Essential Commodities and Cattle (Control) (Enhancement of Penalties) Ordinance, 1947, is hereby repealed; and it is hereby declared that the provisions of section 7 of the Bombay General Clauses Act, 1904, shall apply to the repeal as if that Ordinance were an enactment. Repeal.

[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1947, Part V, page 277.